

**Minutes of Meeting
BOARD FOR CONTRACTORS
INFORMAL FACT-FINDING CONFERENCES
April 6, 2004, (9:00 a.m.)**

The Board for Contractors convened in Richmond, Virginia, for the purpose of holding Informal Fact-Finding Conferences pursuant to the Administrative Process Act.

Dorothy L. Wood, Board member, presided. No other Board members were present.

Douglas Schroder and Jeffrey Buckley appeared for the Department of Professional and Occupational Regulation.

The conferences were recorded by Inge Snead & Associates, LTD. and the Summaries or Consent Orders are attached unless no decision was made.

Disc = Disciplinary Case
RF = Recovery Fund Claim
Trades = Tradesmen Application

C = Complainant/Claimant
R = Respondent/Regulant
W = Witness
Atty = Attorney

Participants

- | | |
|---|---|
| 1. Turzac Construction Corporation
t/a Turzac Homes
File Number 2004-01894 (Disc) | Cashen – R |
| 2. Wes Young Enterprises Inc.
File Number 2002-02828 (Disc) | Gordon W. Young, Jr. – R
Gordon W. Young, III -- R |
| 3. Randy M. Cottee
t/a Randy M. Cottee General Contracting
File Number 2003-01962 (Disc)
No Decision Made | Cottee – R
Kenneth and Donna
Roberson – C |
| 4. Brynner Wandenberg
t/a U S Industries
File Number 2003-02187 (Disc) | None |
| 5. Bryan Bourne
t/a B & B Paving
File Number 2004-00279 (Disc) | Wayne Kirk - C
Carolyn Kirk – C |

6. Phillip R. Butts Sr.
File Number 2004-00579 (Trades)

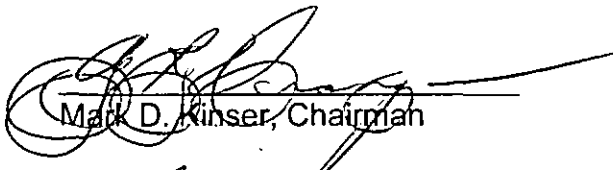
None

7. Loredana Henderson
t/a All Around Home Improvements
File Number 2003-02751 (Disc)

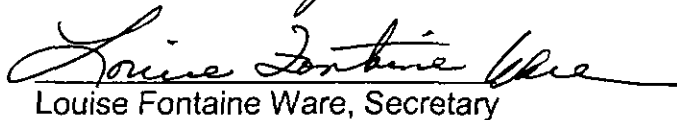
Henderson – R
Thomas Burns - W
Rick Thibodeau - W

The meeting adjourned at 2:45 p.m.

BOARD FOR CONTRACTORS



Mark D. Kinser, Chairman



Louise Fontaine Ware, Secretary

COPY TESTE:

Custodian of Records

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

BOARD FOR CONTRACTORS

**RE: TURZAC CONSTRUCTION CORPORATION
T/A TURZAC HOMES
LICENSE NUMBER: 2705 028527**

FILE NUMBER: 2004-01894

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on April 6, 2004, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Christopher Cashen of Turzac Construction Corporation, t/a Turzac Homes on February 4, 2004. The following individuals participated at the conference: Christopher B. Cashen, on behalf of Turzac Construction Corporation, Respondent; Doug Schroder and Jeffrey Buckley, Staff Members; and Dorothy L. Wood, presiding Board Member.

Background

On June 5, 2002, the Enforcement Division of the Department of Professional and Occupational Regulation received additional information from Larry W. Myers (Myers) regarding a contract entered into with Turzac Construction Corporation (Turzac), t/a Turzac Homes.

On March 29, 2000, Myers entered into a purchase agreement with Turzac, to purchase a parcel of land, including a new single family residence on that land.

On May 2, 2000, Turzac submitted an application for permit for land disturbing activity at Lot 243, 43 Red Robin Turn, Hampton, Virginia. On May 2, 2000, the City of Hampton approved and issued the permit.

On May 26, 2000, Turzac obtained building permit number B00-01199 for the construction a residence at 43 Red Robin Turn, Hampton, Virginia.

Summation of Facts

1. Turzac hired Douglas Turner (Turner), t/a Turner's Concrete Contractor, to perform concrete work at 43 Red Robin Turn, Hampton, Virginia.
2. Turner invoiced Turzac for the following work performed at the subject property:
 - May 31, 2000 - Lbr: dig/pour 10 yd conc footin - in the amount of \$420.00;
 - June 16, 2000 - Prep/pour 13 yds conc; slab - in the amount of \$650.00;
 - June 16, 2000 - Prep/pour 5 yd conc; garage - in the amount of \$250.00;
 - June 17, 2000 - Sand - in the amount of \$400.00;
 - August 4, 2000 - Prep/pour 9 yd conc; driveway - in the amount of \$405.00;
 - August 10, 2000 - Prep/pour 4 yd conc; driveway - in the amount of \$180.00;
 - August 10, 2000 - Prep/pour 2 yd conc; porch - in the amount of \$100.00;
 - August 10, 2000 - Prep/pour 8 yd conc; sidewalk - in the amount of \$400.00; and
 - August 17, 2000 - Prep/pour 1.5 yd conc; patio - in the amount of \$67.50.
3. Turzac paid Turner \$2,872.50 for the concrete work performed at the subject property.

4. On November 12, 2003, a review of the licensing records for the Board for Contractors revealed Turner was not a licensed contractor.
5. On December 12, 2003, James Hughes (Hughes), Vice President of Turzac, told Assistant Director David Dorner, the Board's agent, that Turner did all the concrete work at the subject property.
6. Turzac hired Insulation Service Co. Inc. (Insulation Service) to install insulation at 43 Red Robin Turn, Hampton, Virginia.
7. Insulation Service invoiced Turzac for the following work performed at the subject property:
 - July 25, 2000 – Supp/inst: wall/batt cng insul – in the amount of \$1,290.00; and
 - August 21, 2000 – Supp/inst: blown ceiling insult – in the amount of \$280.00.
8. Turzac paid Insulation Service \$1,570.00 for the work performed at the subject property.
9. On November 12, 2003, a review of the licensing records for the Board for Contractors revealed Insulation Services was issued Class B Contractor's license number 2705008772 on September 21, 1995. The records further revealed the license expired on December 31, 1999.
10. On December 12, 2003, Hughes told the Board's agent that Insulation Services installed the insulation at the subject property.
11. Turzac hired Timothy Mason (Mason), t/a Mason Masonry, to install concrete block at 43 Red Robin Turn, Hampton, Virginia.
12. Mason invoiced Turzac for the following work performed at the subject property:
 - June 1, 2000 – Lbr: lay 572 CMU found block – in the amount of \$858.00;
 - June 1, 2000 – Lbr: install 50 each founds straps – in the amount of \$75.00;
 - June 1, 2000 – Lbr: parge CMU foundation – in the amount of \$175.00; and
 - June 14, 2000 – Lbr: lay 36 blk; inst 2 straps – in the amount of \$85.00.
13. Turzac paid Mason \$1,193.00 for the work performed at the subject property.
14. On November 12, 2003, a review of the licensing records for the Board for Contractors revealed Mason was not a licensed contractor.
15. On December 12, 2003, Hughes told the Board's agent that Mason laid the block at the subject property.

16. Turzac hired Ken Lane (Lane), t/a Ken Lane Painting Contractor Inc., to paint at 43 Red Robin Turn, Hampton, Virginia.
17. Lane invoiced Turzac for the following work performed at the subject property:
 - August 31, 2000 – Lbr/mtl: exterior paint; compl – in the amount of \$350.00; and
 - August 31, 2000 – Lbr/mtl: int paint (2005sf) – in the amount of \$2,056.00.
18. Turzac paid Lane \$2,406.00 for the work performed at the subject property.
19. On November 12, 2003, a review of the licensing records for the Board for Contractors revealed Lane was not a licensed contractor.
20. On December 12, 2003, Hughes told the Board's agent that Lane performed the painting at the subject property.
21. During the IFF, Christopher B. Cashen (Cashen), on behalf of Turzac, testified that Turzac was not aware that Turner, Insulation Service, Mason and Lane were unlicensed. Cashen also stated that Turzac was not aware of any obligation it may have had to ensure that its subcontractors were licensed prior to commencement of work.
22. Meyers entered into the purchase agreement with Turzac prior to construction of the home and was involved in the selection of materials.

Conclusion and Recommendation

Count 1: 18 VAC 50-22-260(B)(14) (Effective May 1, 1999)

Turzac's action of hiring Turner, an unlicensed concrete contractor, to perform work at the subject property is a violation of Board Regulation 18 VAC 50-22-260(B)(14). Therefore, I recommend that a monetary penalty of \$100.00 be imposed.

Count 2: 18 VAC 50-22-260(B)(14) (Effective May 1, 1999)

Turzac's action of hiring Insulation Service, an unlicensed contractor, to perform work at the subject property is a violation of Board Regulation 18 VAC 50-22-260(B)(14). Therefore, I recommend that a monetary penalty of \$100.00 be imposed.

Count 3: 18 VAC 50-22-260(B)(14) (Effective May 1, 1999)

Turzac's action of hiring Mason, an unlicensed masonry contractor, to perform work at the subject property is a violation of Board Regulation 18 VAC 50-22-260(B)(14). Therefore, I recommend that a monetary penalty of \$100.00 be imposed.

Count 4: 18 VAC 50-22-260(B)(14) (Effective May 1, 1999)

Turzac's action of hiring Lane, an unlicensed painting contractor, to perform work at the subject property, is a violation of Board Regulation 18 VAC 50-22-260(B)(14). Therefore, I recommend that a monetary penalty of \$100.00 be imposed.

By:

Dorothy L. Wood
Presiding IFF Board Member
Board for Contractors
Date: _____

FINAL ORDER RECOMMENDATION

THE TOTAL MONETARY PENALTY RECOMMENDED HEREIN SHALL BE PAID WITHIN SIXTY (60) DAYS FROM THE DATE OF ENTRY OF THE FINAL ORDER IN THIS MATTER. FAILURE TO PAY THE TOTAL MONETARY PENALTY ASSESSED WITHIN SIXTY (60) DAYS OF THE DATE OF ENTRY OF SAID FINAL ORDER WILL RESULT IN THE AUTOMATIC SUSPENSION OF LICENSE NUMBER 2705 028527 UNTIL SUCH TIME AS SAID AMOUNT IS PAID IN FULL.

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

BOARD FOR CONTRACTORS

**RE: WES YOUNG ENTERPRISES, INC.
LICENSE NUMBER: 2701 028435**

FILE NUMBER: 2002-02828

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on April 6, 2004, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Gordon Young, III, President of Wes Young Enterprises, Inc., on February 5, 2004. The following individuals participated at the conference: Gordon W. Young, Jr. and Gordon W. Young, III, on behalf of Wes Young Enterprises, Inc., Respondents; Jeffrey Buckley and Doug Schroder, Staff Members; and Dorothy L. Wood, presiding Board Member.

Background

On March 15, 2002, the Enforcement Division of the Department of Professional and Occupational Regulation received a written complaint from H. Pierce and Debra Anderson (the Andersons) regarding a contract entered into with Wes Young Enterprises Inc. (Young).

On December 5, 2000, the Andersons entered into a contract with Young, in the amount of \$200,155.00, to construct an addition at 2462 Shady Oaks Trail, Maidens, Virginia 23102. In December 2001, Young stopped work and left the project because of a payment dispute.

On March 20, 2002, a review of the licensing records of the Board for Contractors revealed Young was issued Class A Contractor's license number 2701028435 on August 12, 1986. On November 7, 2003, a review of the licensing records of the Board for Contractors revealed the following:

- Designated Employee was Gordon Wesley Young Jr. (Young Jr.), effective May 31, 1991;
- Qualified Individuals were Young Jr. for the electrical contractors (ELE) and building contractors (BLD) classifications, effective May 22, 1999; Ronald Sorrells for the HVAC contractors (HVA) classification and gas fitting contracting (GFC) specialty, effective August 8, 2002; and Christopher Jones for the plumbing contractors (PLB) classification, effective August 12, 2002; and
- Responsible Management was Young Jr. as President, effective May 14, 1999 to August 6, 2002, and Treasurer, effective August 6, 2002, and Gordon Wesley Young III (Young III) as President, Vice President, and Secretary, effective August 6, 2002.

Summation of Facts

1. The contract used by Young in the transaction failed to contain subsections: (a) when work is to begin, (e) a statement of assurance that the contractor will comply with all local requirements for building permits, inspections and zoning, (f) disclosure of cancellation rights of the parties, (h) contractor's license number, expiration date, class of license and classifications or specialty services, and (i) statement providing that any modifications to the contract, which will changes the cost, materials, work to be performed or estimated completion date, must be in writing and signed by all parties.

2. The contract specified "Delivery of the Certificate of Occupancy and the balance of the purchase price and the possession of the property shall take place on or before six (6) months after the building permit is issued . . ."

3. On January 31, 2001, Young was issued building permit number 23-2001 for work to be performed at the subject property.

4. The Andersons and Young made several verbal modifications to the plans. According to the verbal changes, Young constructed:

- a. 19 foot wide basement/24 foot first floor instead of 20 foot wide basement/20 foot first floor;
- b. cathedral ceilings instead of 8 foot 8 inch ceilings; and
- c. open space instead of pocket doors to the master bedroom to the hall and from the existing living room to the music room.

5. In a letter dated December 27, 2001, John M. Williamson (Williamson), an attorney representing Young, told the Andersons that they owed Young \$20,678.40 for extras, less allowances. Williamson included a breakdown describing the extras with the letter.

6. On July 24, 2002, Young told Investigator E. Nathan Matthews, the Board's Agent that the changes and extras were done without a written change order signed by all parties.

7. On December 18, 2002, in the Goochland County General District Court, Young III was convicted of the following seven (7) misdemeanors:

- Fail to install foundation drains below the area of the foundation walls enclosing habitable space below (to wit. draitile has been installed in some areas without required grave cover or bed, in violation of Section 405.1 of the USBC and § 36-106 of the Code of Virginia;
- Fail to construct to the minimum thickness for the depth of unbalanced fill, the exterior foundation wall beneath the masonry lintels connecting the basement to the existing crawlspace, in violation of Section 404.1.1 of the USBC and § 36-106 of the Code of Virginia;
- Fail to support by concrete footings or another approved strutural (sic) system the exterior foundation wall beneath the masonry lintels connecting the basement to the existing crawlspace, in violation of Section 403.1 of the USBC and § 36-106 of the Code of Virginia;
- Fail to waterproof the masonry foundation enclosing habitable space below grade from the top of the footing to the finished grade, in violation of Section 406.1 of the USBC and § 36-106 of the Code of Virginia;
- Fail to install cover over lighting outlet boxes located in basement of pool room, in violation of Section 4406.14 of the USBC and § 36-106 of the Code of Virginia;
- Fail to protect from physical damage nonmetallic sheathed cable (to wit. NBC installed through exterior metal flashing without sleeve.), in violation of Section 4302.3.2 of the USBC and § 36-106 of the Code of Virginia; and

- Fail to exceed the maximum load capacity on the electial (sic) conductors for the music room, in violation of Section 4205.1 of the USBC and § 36-106 of the Code of Virginia.

8. On March 28, 2003, in the Circuit Court of Goochland County, Young III appealed the seven (7) misdemeanor convictions from the Goochland County General District Court. On June 24, 2003, the Court entered an order, wherein the Court upheld the seven (7) misdemeanor convictions against Young III for building code violations. There is no further appeal pending and the time for appeal has lapsed.

9. On November 7, 2003, Young told the Board's agent that Young did not report Young III's misdemeanor convictions to the Board for Contractors because Young was not aware of the Board's regulations requiring notification of the convictions.

10. In a letter dated November 18, 2003, Young notified the Board that Young III had several convictions for violations of the USBC.

11. On January 22, 2003, in the Goochland County General District Court, Young Jr. was convicted of the following three (3) misdemeanors:

- Exceed the maximum load capacity on the electial (sic) conductors for the music room, in violation of Section 4205.1 of the USBC and § 36-106 of the Code of Virginia.
- Fail to install cover over lighting outlet boxes located in basement of pool room, in violation of Section 4406.14 of the USBC and § 36-106 of the Code of Virginia; and
- Fail to protect from physical damage nonmetallic sheathed cable (to wit. NBC installed through exterior metal flashing without sleeve.), in violation of Section 4302.3.2 of the USBC and § 36-106 of the Code of Virginia.

12. On March 28, 2003, in the Circuit Court of Goochland County, Young Jr. appealed the three (3) misdemeanor convictions from the Goochland County General District Court. On June 24, 2003, the Court entered an order, wherein the Court upheld the three (3) misdemeanor convictions against Young Jr. for building code violations. There is no further appeal pending and the time for appeal has lapsed.

13. On November 7, 2003, Young told the Board's agent that Young did not report Young, Jr.'s misdemeanor convictions to the Board for Contractors because Young was not aware of the Board's regulations requiring notification of the convictions.

14. In a letter dated November 18, 2003, Young notified the Board that Young Jr. had several convictions for violations of the USBC.

15. During the IFF, Young, III testified that he did not realize that the contract had to be written as specified by the Board, but that Young has since brought the contract into compliance with the Board's requirements.

16. Young, III testified that he attempted to get the Andersons to sign the written change orders but the Andersons refused.

17. Young, Jr. and Young, III testified at the IFF that they were not aware of any requirement to notify the Board of their convictions because they were convicted as individuals rather than as Wes Young Enterprises, Inc. After being notified by Investigator Matthews that notification was required, Young, III sent a letter to the Board regarding the convictions.

Conclusion and Recommendation

Count 1: 18 VAC 50-22-260(B)(8) (Effective May 1, 1999)

Young's failure to make use of a legible written contract which contains the minimum provisions specified in the Board's Regulations is a violation of Board Regulation 18 VAC 50-22-260(B)(8). I recommend that no monetary penalty be imposed but I do recommend that Young, III successfully complete the Board's Basic Contractor Licensing Class (remedial education) within six months of the entry of the order.

Count 2: 18 VAC 50-22-260(B)(6) (Effective May 1, 1999)

Young's failure to make use of written change orders, signed by all parties, for changes made to an existing contract constitutes misconduct in the practice of contracting and is a violation of Board Regulation 18 VAC 50-22-260(B)(6). I do not recommend that a monetary penalty be imposed but I do recommend that Young, III successfully complete the Board's Basic Contractor Licensing Class (remedial education) within six months of the entry of the order.

Count 3: 18 VAC 50-22-260(B)(22) (Effective January 1, 2003)

Young, III's action of being convicted or found guilty, after initial licensure, regardless of adjudication, in any jurisdiction, of any felony or of any misdemeanor, there being no appeal pending therefrom and the time of appeal has lapsed, is a violation of Board Regulation 18 VAC 50-22-260(B)(22). I do not recommend that a monetary penalty be imposed but I do recommend that Young, III successfully complete the Board's Basic Contractor Licensing Class (remedial education) within six months of the entry of the order.

Count 4: 18 VAC 50-22-260(B)(23) (Effective January 1, 2003)

Young's failure to inform the board in writing, within 30 days, that a member of responsible management has pleaded guilty or was convicted and found guilty of any felony or any misdemeanor conviction for activities carried out while engaged in the practice of contracting is a violation of Board Regulation 18 VAC 50-22-260(B)(23). I do not recommend that a monetary penalty be imposed but I do recommend that Young, III successfully complete the Board's Basic Contractor Licensing Class (remedial education) within six months of the entry of the order.

Count 5: 18 VAC 50-22-260(B)(22) (Effective January 1, 2003)

Young, Jr.'s action of being convicted or found guilty, after initial licensure, regardless of adjudication, in any jurisdiction, of any felony or of any misdemeanor, there being no appeal pending therefrom and the time of appeal has lapsed, is a violation of Board Regulation 18 VAC 50-22-260(B)(22). Therefore, I recommend that a monetary penalty of \$50.00 be imposed.

Count 6: 18 VAC 50-22-260(B)(23) (Effective January 1, 2003)

Young's failure to inform the board in writing, within 30 days, that a member of responsible management has pleaded guilty or was convicted and found guilty of any felony or any misdemeanor conviction for activities carried out while engaged in the practice of contracting is a violation of Board Regulation 18 VAC 50-22-260(B)(23). I do not recommend that a monetary penalty be imposed but I do recommend that Young, III successfully complete the Board's Basic Contractor Licensing Class (remedial education) within six months of the entry of the order.

By:

Dorothy L. Wood
Presiding IFF Board Member
Board for Contractors
Date: _____

FINAL ORDER RECOMMENDATION

THE TOTAL MONETARY PENALTY RECOMMENDED HEREIN SHALL BE PAID WITHIN SIXTY (60) DAYS FROM THE DATE OF ENTRY OF THE FINAL ORDER IN THIS MATTER. FAILURE TO PAY THE TOTAL MONETARY PENALTY ASSESSED WITHIN SIXTY (60) DAYS OF THE DATE OF ENTRY OF SAID FINAL ORDER WILL RESULT IN THE AUTOMATIC SUSPENSION OF LICENSE NUMBER 2701 028435 UNTIL SUCH TIME AS SAID AMOUNT IS PAID IN FULL.

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
BOARD FOR CONTRACTORS**

**RE: BRYNNER WANDEMBERG
 T/A U S INDUSTRIES
 LICENSE NUMBER: 2705 037541**

FILE NUMBER: 2003-02187

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on April 6, 2004 at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Brynner Wandemberg, t/a U S Industries, on February 2, 2004. The following individuals participated at the conference: Douglas Schroder, Staff Member; Jeffrey Buckley, Staff Member; and Dorothy L. Wood, Presiding Board Member. Neither Wandemberg, nor anyone on his behalf, appeared at the IFF.

Background

On February 12, 2003, the Enforcement Division of the Virginia Department of Professional and Occupational Regulation received a written complaint from Beatrice Ross (Ross) regarding work performed by Brynner Wandemberg (Wandemberg), t/a U S Industries.

On October 23, 2001, Ross entered into a contract with HomeChoice Remodeling, a division of Reface, Inc. (Reface), in the amount of \$7,620.00, to remodel a bathroom at 713 N. 32nd Street, Richmond, Virginia.

In 2001, Reface subcontracted Wandemberg to perform work at the subject property. While installing a pedestal sink, Wandemberg told Ross that she needed additional drainage pipes, which were not included in the original contract.

Ross entered into a verbal agreement with Wandemberg, in the amount of \$550.00, for the additional plumbing work at the subject property.

On December 10, 2001, Ross received an invoice from Wandemberg, in the amount of \$550.00, for plumbing work performed at 713 N. 32nd Street, Richmond, Virginia. Ross paid Wandemberg \$550.00 by check.

On February 12, 2003, a review of the licensing records for the Board for Contractors revealed Wandemberg was issued Class C Contractor's license 2705037541 on February 19, 1997.

Summation of Facts

1. Wandemberg failed to make use a legible written contract clearly specifying the terms and conditions of the work to be performed.
2. On May 7, 2003, David W. Schanz (Schanz), Building Inspector for the City of Richmond Bureau of Permits and Inspections, advised Investigator E. Nathan Matthews, the Board's agent, that Wandemberg failed to obtain a required permit, in violation of Section 109.1 of the Uniform Statewide Building Code.

Conclusion and Recommendation

Count 1: 18 VAC 50-22-260(B)(8) (Effective September 1, 2001) (Wandemberg's failure to make use of a legible written contract clearly specifying the terms and conditions of the work to be performed)

I recommend that Count 1 be closed with a finding of no violation. The contract was signed by the homeowner and Reface, Inc., a division of HomeChoice Remodeling, a Sears authorized contractor. Mr. Clifton was representing Reface, Inc. Mr. Wandemberg's contract was with Reface, Inc., and not with the homeowner.

Count 2: 18 VAC 50-22-260(B)(6) (Effective September 1, 2001) (Wandenberg's failure to obtain the required permit for work to be performed)

I recommend that Count 2 be closed with a finding of no violation. The contract was signed by the homeowner and Reface, Inc., a division of HomeChoice Remodeling, a Sears authorized contractor. Mr. Clifton was representing Reface, Inc. Mr. Wandenberg's contract was with Reface, Inc., and not with the homeowner. Item #6 of the contract included repairs to the piping of the lavatory.

By:

Dorothy L. Wood
Presiding IFF Board Member
Board for Contractors
Date: _____

FINAL ORDER RECOMMENDATION

THE TOTAL MONETARY PENALTY RECOMMENDED HEREIN SHALL BE PAID WITHIN SIXTY (60) DAYS FROM THE DATE OF ENTRY OF THE FINAL ORDER IN THIS MATTER. FAILURE TO PAY THE TOTAL MONETARY PENALTY ASSESSED WITHIN SIXTY (60) DAYS OF THE DATE OF ENTRY OF SAID FINAL ORDER WILL RESULT IN THE AUTOMATIC SUSPENSION OF LICENSE NUMBER 2705 037541 UNTIL SUCH TIME AS SAID AMOUNT IS PAID IN FULL.

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

BOARD FOR CONTRACTORS

**RE: BRYAN BOURNE
T/A B & B PAVING
LICENSE NUMBER: 2705 010957**

FILE NUMBER: 2004-00279

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on April 6, 2004 at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Bryan Bourne, t/a B & B Paving, on February 20, 2004. The following individuals participated at the conference: Wayne and Carolyn Kirk, Complainants; Douglas Schroder, Staff Member; Jeffrey Buckley, Staff Member; and Dorothy L. Wood, Presiding Board Member. Neither Bourne, nor anyone on his behalf, appeared at the IFF.

Background

On July 10, 2003, the Enforcement Division of the Department of Professional and Occupational Regulation received a written complaint from Wayne Kirk (Kirk) regarding work performed by Bryan Bourne (Bourne), t/a B & B Paving.

On September 15, 2000, Kirk entered into a verbal contract with Bourne, in the amount of \$3,900.00, to pave a driveway at 2644 Beulah Lane, Christiansburg, Virginia.

In September 2000, Bourne paved the driveway at the subject property.

On September 18, 2000, Kirk received an invoice from B & B Asphalt Paving, in the amount of \$3,900.00, for driveway paved by Bourne at the subject property. On September 20, 2000, Kirk paid Bourne \$3,900.00 by check.

In August, 2001, Kirk entered into a verbal contract with Bourne, in the amount of \$425.00, to seal the driveway at the subject property.

In August 2001, Bourne sealed the driveway at the subject property.

On August 15, 2001, Kirk received an invoice from B & B Asphalt Paving, in the amount of \$425.00, for the driveway sealing performed by Bourne at the subject property. On August 16, 2001, Kirk paid Bourne \$425.00 by check.

On July 15, 2003, a review of the licensing records of the Board for Contractors revealed Bourne was issued Class B Contractor's license number 2705010957.

Summation of Facts

1. Bourne failed to make use of legible written contracts clearly specifying the terms and conditions of the work to be performed, signed by all parties, prior to commencement of work.
2. Bourne failed to operate in the name in which the license was issued.
3. After the driveway was sealed, Kirk noticed a large puddle near the entrance of the home. Kirk attempted to contact Bourne, via telephone and in person, regarding the problem. On October 18, 2002, Kirk sent Bourne a certified letter regarding the problem.
4. On October 23, 2002, Bourne contacted Kirk and told Kirk that Bourne would take care of the situation. Since the one-year warranty had expired, Kirk entered into a verbal agreement with Bourne to split the cost of the repair of the driveway. The estimated cost of the repair was \$1,000.00. Bourne agreed to perform the repair work by Thanksgiving 2002.
5. On November 19, 2002, Kirk left a voice mail message for Bourne. Bourne returned the call and told Kirk that he was behind, but that he would take care of the problem either next week or the week after. Bourne failed to return to correct the problem as promised.

Conclusion and Recommendation

Count 1: 18 VAC 50-22-260(B)(8) (Effective May 1, 1999) (TWO VIOLATIONS)

Bourne's failure to make use of legible written contracts clearly specifying the terms and conditions of the work to be performed, signed by all parties, prior to commencement of work is a violation of Board Regulation 18 VAC 50-22-260(B)(8). Therefore, I recommend that a monetary penalty of \$1,000.00 be imposed for each violation.

Count 2: 18 VAC 50-22-230(A) (Effective May 1, 1999)

Bourne's failure to operate under the name in which the license was issued is a violation of Board Regulation 18 VAC 50-22-230(A). Therefore, I recommend that a monetary penalty of \$1,000.00 be imposed.

Count 3: 18 VAC 50-22-260(B)(6) (Effective September 1, 2001)

Bourne's failure to return to the subject property to repair the driveway as promised constitutes misconduct in the practice of contracting in violation of Board Regulation 18 VAC 50-22-260(B)(6). Therefore, I recommend that a monetary penalty of \$2,500.00 be imposed. In addition, I recommend Bourne successfully complete the Board's Basic Contractor Licensing Class (remedial education) within six months of the entry of the order.

Count 4: 18 VAC 50-22-260(B)(13) (Effective January 1, 2003)

Bourne's failure to respond to an investigator seeking information in the investigation of a complaint is a violation of Board Regulation 18 VAC 50-22-260(B)(13). Therefore, I recommend that a monetary penalty of \$2,500.00 be imposed.

By:

Dorothy L. Wood
Presiding IFF Board Member
Board for Contractors
Date: _____

FINAL ORDER RECOMMENDATION

THE TOTAL MONETARY PENALTY RECOMMENDED HEREIN SHALL BE PAID WITHIN SIXTY (60) DAYS FROM THE DATE OF ENTRY OF THE FINAL ORDER IN THIS MATTER. FAILURE TO PAY THE TOTAL MONETARY PENALTY ASSESSED WITHIN SIXTY (60) DAYS OF THE DATE OF ENTRY OF SAID FINAL ORDER WILL RESULT IN THE AUTOMATIC SUSPENSION OF LICENSE NUMBER 2705 010957 UNTIL SUCH TIME AS SAID AMOUNT IS PAID IN FULL.

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
BOARD FOR CONTRACTORS**

**RE: PHILLIP R. BUTTS, SR.
LICENSE NUMBER: 2710 024260**

FILE NUMBER: 2004-00579

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on April 6, 2004 at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Phillip R. Butts, Sr., on February 20, 2004. The following individuals participated at the conference: Douglas Schroder, Staff Member; Jeffrey Buckley, Staff Member; and Dorothy L. Wood, Presiding Board Member. Neither Butts, nor anyone on his behalf, appeared at the IFF.

Summation of Facts

1. On July 28, 2003, the Enforcement Division of the Department of Professional and Occupational Regulation received a written complaint from Anna Karp (Karp) regarding a contract entered into with Phillip Butts Sr. (Butts).
2. On May 19, 2003, Karp entered into a contract with Butts, in the amount of \$1,875.00, to perform electrical work at 241 Maryland Avenue, Apartment 1 & 2, Portsmouth, Virginia. The electrical work included installing two 100 AMP electrical panels and wiring for two electric stoves, an electric dryer, and a circuit for electric water heater.
3. On July 30, 2003, a review of the licensing records of the Board of Contractors revealed Butts was issued Master Electrician Tradesman license number 2710024260 on September 15, 1995.
4. Butts failed to obtain a contractor's license in order to perform contracting work over \$1,000.00.

Conclusion and Recommendation

Count 1: 18 VAC 50-30-190(1) (Effective January 1, 2003), to wit: § 54.1-1103 of the Code of Virginia

Butts' failure to obtain a contractor's license in order to perform contracting work over \$1,000.00 is a violation of Board Regulation 18 VAC 50-30-190(1). Therefore, I recommend that a monetary penalty of \$100.00 be imposed. In addition, I recommend Butts successfully complete the Board's Basic Contractor Licensing Class (remedial education) within six months of the entry of the order.

By:

Dorothy L. Wood
Presiding IFF Board Member
Board for Contractors
Date: _____

FINAL ORDER RECOMMENDATION

THE TOTAL MONETARY PENALTY RECOMMENDED HEREIN SHALL BE PAID WITHIN SIXTY (60) DAYS FROM THE DATE OF ENTRY OF THE FINAL ORDER IN THIS MATTER. FAILURE TO PAY THE TOTAL MONETARY PENALTY ASSESSED WITHIN SIXTY (60) DAYS OF THE DATE OF ENTRY OF SAID FINAL ORDER WILL RESULT IN THE AUTOMATIC SUSPENSION OF LICENSE NUMBER 2710 024260 UNTIL SUCH TIME AS SAID AMOUNT IS PAID IN FULL.

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
BOARD FOR CONTRACTORS**

**RE: LOREDANA L. HENDERSON
T/A ALL AROUND HOME IMPROVEMENTS
LICENSE NUMBER: 2705 071797**

FILE NUMBER: 2003-02751

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on April 6, 2004 at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Loredana L. Henderson, t/a All Around Home Improvements, on February 20, 2004. The following individuals participated at the conference: Loredana L. Henderson, Respondent; Thomas Burns, Witness; Rick Thibodeau, Witness; Douglas Schroder, Staff Member; Jeffrey Buckley, Staff Member; and Dorothy L. Wood, Presiding Board Member.

Summation of Facts

1. On April 10, 2003, the Enforcement Division of the Department of Professional and Occupational Regulation received a written complaint from James Blowe (Blowe) regarding a contract entered into with Loredana L. Henderson (Henderson), t/a All Around Home Improvements.
2. On February 11, 2003, Blowe entered into a contract with Henderson, in the amount of \$7,950.00, for labor to renovate the interior at 5519 Lewis Road, Norfolk, Virginia.
3. On April 11, 2003, a review of the licensing records of the Board for Contractors revealed Henderson was issued Class C Contractor's license number 2705071797 on October 17, 2002.
4. Henderson failed to obtain a Class B license in order to perform work in excess of the \$7,500.00 limit of a Class C license.

5. The contract used by Henderson in the transaction failed to contain subsections: (a) when the work is to begin and the estimated completion date, (d) a "plain language" exculpatory clause, (e) statement of assurance regarding local requirements for building permits, inspections and zoning, (f) disclosure of cancellation rights, (h) the contractor's license number, expiration date, class of license/certificate, and classification or specialty services, and (i) a statement providing that any modification to the contract which changes the cost, materials, work to be performed, or estimated completion date, must be in writing and signed by all parties.

Conclusion and Recommendation

Count 1: 18 VAC 50-22-260(B)(27) (Effective January 1, 2003)

Henderson's failure to obtain a Class B license in order to perform work in excess of the \$7,500.00 limit of a Class C license is a violation of Board Regulation 18 VAC 50-22-260(B)(27). Therefore, I recommend that a monetary penalty of \$200.00 be imposed. In addition, I recommend Henderson successfully complete the Board's Basic Contractor Licensing Class (remedial education) within six months of the entry of the order.

Count 2: 18 VAC 50-22-260(B)(9) (Effective January 1, 2003)

Henderson's failure to make use of a written contract which contains the minimum provisions specified in the Board's Regulations is a violation of Board Regulation 18 VAC 50-22-260(B)(9). Therefore, I recommend that a monetary penalty of \$200.00 be imposed. In addition, I recommend Henderson successfully complete the Board's Basic Contractor Licensing Class (remedial education) within six months of the entry of the order.

By:

Dorothy L. Wood
Presiding IFF Board Member
Board for Contractors
Date: _____

FINAL ORDER RECOMMENDATION

THE TOTAL MONETARY PENALTY RECOMMENDED HEREIN SHALL BE PAID WITHIN SIXTY (60) DAYS FROM THE DATE OF ENTRY OF THE FINAL ORDER IN THIS MATTER. FAILURE TO PAY THE TOTAL MONETARY PENALTY ASSESSED WITHIN SIXTY (60) DAYS OF THE DATE OF ENTRY OF SAID FINAL ORDER WILL RESULT IN THE AUTOMATIC SUSPENSION OF LICENSE NUMBER 2705 071797 UNTIL SUCH TIME AS SAID AMOUNT IS PAID IN FULL.

BOARD FOR CONTRACTORS

TENTATIVE AGENDA 05/25/04

Conference Room 4 West

4th Floor – 9:00 AM

Department of Professional and Occupational Regulation

3600 West Broad Street

Richmond, Virginia 23230-4917

(804) 367-2785

Tuesday, May 25, 2004

- | | | |
|----------|----|---|
| 9:00 AM | 1. | Call to Order – Mr. Kinser |
| 9:03 AM | 2. | Approval of Agenda |
| 9:04 AM | 3. | Approval of 04-13-2004 Board Minutes and
03-18, 23, 25, 30 and 04-01, 06 and 15, 2004
IFF Minutes |
| 9:05 AM | 4. | a. Resolutions
b. Public Comment Period |
| 9:15 AM | 5. | Disciplinary/Licensing/Recovery Fund Case Files |
| 10:30 AM | 6. | Ratification of Consent Orders |
| 12:30 PM | 7. | Other Board Business |
- a. Eric Gregory and Elizabeth Sadler(Intern)
 - 1) Angela Hudson/2001-02004
 - 2) Harry Williams/2004-1903
 - b. Tradesman Regulations (Elevator Mechanic)-NOIRA
 - c. Contractor Regulations-Revised Proposed
 - d. Redifer-ACQ Report
 - e. Tradesman & Education Committee Report
 - f. Reciprocity Report
 - g. Statistical Report
 - h. Recovery Fund Report
 - i. FAMIS

- | | | |
|---------|-----|-------------------------|
| 1:30 PM | 8. | New Business |
| 1:50 PM | 9. | Completion of Paperwork |
| 2:00 PM | 10. | Adjournment |

NEXT MEETING SCHEDULED FOR TUESDAY, July 6, 2004

*Five minute public comment, per person, *on those items not included on the agenda* with the exception of any open disciplinary or application files.

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-2785 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.


RECOVERY FUND / LICENSING / DISCIPLINARY CASES

**** = Appointments**

For May 25, 2004 Meeting (Tentative)
Updated 05-24-2004 5:30 PM

IFF by **File Number** **Type** **File Name**

5

1	COOPER	2004-03850	LIC	GARY S. WILLIAMS T/A GARY WILLIAMS BUILDER LICENSE APPLICATION
2	COOPER	2004-03849	LIC	DAVID ALLEN DEAN T/A DAVID DEAN CONSTRUCTION LICENSE APPLICATION
 3	COOPER	2004-03848	LIC	THOMAS ALLEN MURRAY LICENSE APPLICATION APPOINTMENT - Tom Murray
4	COOPER	2004-03757	LIC	BACKYARD PONDS, LLC LICENSE APPLICATION
5	COOPER	2004-03740	LIC	MILLSTONE RESTORATION, LTD. LICENSE APPLICATION
6	COOPER	2004-03738	LIC	A & E CONSTRUCTION, INC. LICENSE APPLICATION
7	COOPER	2004-03634	LIC	JOSEPH WILLIAM CAGNINA, JR. LICENSE APPLICATION

8	COOPER	2004-03633	LIC	DAVID CRAIG LONEBERGER LICENSE APPLICATION
9	COOPER	2004-03632	LIC	LARRY RANDALL BOBBITT LICENSE APPLICATION
10	COOPER	2004-03630	LIC	HAL CLAYTON MOSTELLER, JR. T/A DB & ASSOCIATES LICENSE APPLICATION
11	COOPER	2004-03629	LIC	JAMES LEROY FINCH T/A J & P HOME IMPROVEMENT LICENSE APPLICATION

12	COOPER	2004-03628	LIC	MICHAEL C. ROSE, JR. T/A ACE HOME SERVICES LICENSE APPLICATION
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13	COOPER	2004-03626	LIC	MAYNARD L PURYEAR T/A P & H REMODELING CONSTRUCTION CO., INC. LICENSE APPLICATION
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Appointment Maynard & Helen
Puryear

14	COOPER	2004-03622	LIC	THOMAS ALLEN O'KELLY, JR. LICENSE APPLICATION
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15	COOPER	2004-03585	LIC	EDWARD LLOYD MILLER LICENSE APPLICATION
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16	COOPER	2004-03407	LIC	ARCHIE QUENTIN POWELL LICENSE APPLICATION
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17	COOPER	2004-03405	LIC	KENNETH H. FLEMING T/A FLEMING CONSTRUCTION & MAINTI NANCE SERVICES LICENSE APPLICATION
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APPOINTMENT Ken Fleming

18	COOPER	2004-02247	LIC	DIVERSIFIED RESTORATION ENTERPRISES INC. LICENSE APPLICATION
19	FALWELL	2002-03648	DISC	EXTERIOR SOLUTIONS INC. LICENSE NUMBER 2705-057428
20	FALWELL	2002-03440	DISC	EVERETT A. MAYO T/A PICTURE PERFECT RENOVATION LICENSE NUMBER 2705-053666
21	FALWELL	2003-02697	DISC	ERNIE LEE HARRIS T/A HARRIS CONSTRUCTION LICENSE NUMBER 2705-048685
22	FALWELL	2003-02349	DISC	ROY L. DODSON T/A R & R HOME IMPROVEMENTS LICENSE NUMBER 2705-052207
23	FALWELL	2002-02119	DISC	DAVECO INC. LICENSE NUMBER 2705-040869
24	FALWELL	2003-01353	DISC	KRISTA ALANA-ANN MCGUIRE T/A RENEWED BY DESIGN LICENSE NUMBER 2705-069495
25	FALWELL	2003-01152	DISC	DAVECO INC. LICENSE NUMBER 2705-040869
26	FALWELL	2002-00911	DISC	DAVECO INC. LICENSE NUMBER 2705-040869
27	FALWELL	2002-00887	DISC	JERRY L. BLEVINS LICENSE NUMBER 2705-27935 Not Coming
28	FALWELL	2002-00589	DISC	DAVECO INC. LICENSE NUMBER 2705-040869

29	FRANKO	2003-03089	DISC	VIRGINIA E. VANDYKE T/A V & M ENTERPRISES LICENSE NUMBER 2705 055987
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APPOINTMENT Judy and
Steven Harris
And
Mike VanDyke

30	HART	2004-01494	DISC	NOAH STANLEY T/A ACE BLACK TOP PAVING LICENSE NUMBER 2705-068657
31	HART	2004-01185	DISC	AQUA TECH, INC. LICENSE NUMBER 2705-028681
32	HART	2004-01167	DISC	AQUA TECH, INC. LICENSE NUMBER 2705-028681
33	HART	2004-01153	DISC	NOAH STANLEY T/A ACE BLACK TOP PAVING LICENSE NUMBER 2705-068657
34	HART	2004-01086	DISC	AQUA TECH, INC. LICENSE NUMBER 2705-028681
35	HART	2004-01081	DISC	AQUA TECH, INC. LICENSE NUMBER 2705-028681
36	HART	2004-00962	DISC	NOAH STANLEY T/A ACE BLACK TOP PAVING LICENSE NUMBER 2705-068657
37	HART	2004-00624	DISC	NOAH STANLEY T/A ACE BLACK TOP PAVING LICENSE NUMBER 2705-068657
38	HART	2004-00300	DISC	AQUA TECH, INC. LICENSE NUMBER 2705-028681
39	HOLLAR	2002-03548	RF	JAMES H. & JOANNE L. MAITLAND (CLAIMANTS) AND CUSTOM CARE REMODELING, INC. T/A CUSTOM CARE REMODELING, INC. (REGULANT) LICENSE NUMBER 2705-050939
40	HOLLAR	2003-02136	RF	KIRAN BASHIR (CLAIMANT) AND DAVID GARCIA T/A DAVID G. CARPENTRY (REGULANT) LICENSE NUMBER 2705-035375

APPOINTMENT coming at 9 AM

41	HOLLAR	2003-02112	RF	MARSHA COLE (CLAIMANT) AND RICHARD L. TUTTLE T/A TUTTLE AND SON CONSTRUCTION (REGULANT) LICENSE NUMBER 2705-060666
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APPOINTMENT

42	HOLLAR	2002-02056	DISC	RICHARD L. TUTTLE T/A TUTTLE AND SON CONSTRUCTION LICENSE NUMBER 2705-060666
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43	HOLLAR	2003-01998	RF	CAMMY CROCKETT (CLAIMANT) AND REECE DANIELS T/A DANIEL'S HEATING & COOLING (REGULANT) LICENSE NUMBER 2705-034817
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44	HOLLAR	2003-01956	RF	KATHLEEN L. BOGATYR (CLAIMANT) AND TIMOTHY J. SIMON T/A T J'S CONNECTION (REGULANT) LICENSE NUMBER 2705-033832
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45	KINSER	2002-02140	DISC	LINWOOD WILLIAMS T/A WILLIAMS ELECTRIC HEATING PLUMBING H/AC GAS LICENSE NUMBER 2705-033692
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46	KINSER	2003-01389	DISC	PETER A. MURPHY T/A MURPH'S BUILDING LICENSE NUMBER 2705-067819
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47	KINSER	2003-01313	DISC	MELVIN MORGAN ROOFING & SHEET METAL COMPANY LICENSE NUMBER 2701-036327 APPOINTMENT Guy Crowdgey Attorney
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48	KINSER	2002-01289	DISC	THE DOMINION COMPANIES, INC. LICENSE NUMBER 2705-051333
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49 KINSER 2002-01176 DISC VALLEY MECHANICAL OF WARREN, INC
LICENSE NUMBER 2701-034139

50 KINSER 2003-00745 DISC STANLEY EARL JOHNSON, II
T/A JOHNSON BUILDERS
LICENSE NUMBER 2705-055694

51 KIRBY 2003-03441 DISC BARINDER BARRY CHADDA
T/A ALL AMERICAN BUILDING & STORE
FIXTURES
LICENSE NUMBER 2705-045497

Pulled 52 KIRBY ~~2003-03437~~ DISC
Pulled per V. Traylor

53 KIRBY 2003-03424 DISC BARINDER BARRY CHADDA
T/A ALL AMERICAN BUILDING & STORE
FIXTURES
LICENSE NUMBER 2705-045497

54 KIRBY 2003-02346 DISC BARINDER BARRY CHADDA
T/A ALL AMERICAN BLD & STORE FIXTL
LICENSE NUMBER 2705 045497

55 KIRBY 2003-01925 DISC THOMAS MADDOX AND WALANDA BAR
T/A I E REMODELING
LICENSE NUMBER 2705 072083

56 KIRBY 2003-01780 DISC THOMAS MADDOX AND WALANDA BAR
T/A I E REMODELING
LICENSE NUMBER 2705 072083



~~57~~ KIRBY ~~2003-01513~~ RF BERNARD BRYANT CAMPBELL, SR. AND
GRETA LINDALE CAMPBELL
(CLAIMANTS) AND MICHAEL LAYNE
TABOR
T/A GT CONSTRUCTION CO.
(REGULANT)
LICENSE NUMBER 2705-04644
APPOINTMENT Colby Brown
Attorney

After 10:30 Please

Pulled 58 KIRBY ~~2003-04037~~ Pulled

59	ORANGE	2003-03149	DISC	WALLWORKS, LLC LICENSE NUMBER 2705 071544
60	ORANGE	2003-02999	DISC	ROBERT K. LUCAS T/A ASPHALT PAVING LICENSE NUMBER 2705 063538
61	ORANGE	2003-02609	DISC	PROSPERITY MECHANICAL, INC. LICENSE NUMBER 2705 049402
62	ORANGE	2003-02145	DISC	CLOVER BUILDERS, INC. LICENSE NUMBER 2701 029793
63	ORANGE	2004-01799	DISC	KEVIN W. TARR T/A TARR AND SONS CONSTRUCTION FKA/ COASTAL ROOFING LICENSE NUMBER 2705 044660
64	ORANGE	2003-01698	DISC	ROBERT K. LUCAS T/A ASPHALT PAVING LICENSE NUMBER 2705 063538
65				
66	ORANGE	2004-01395	DISC	KEVIN W. TARR T/A TARR AND SONS CONSTRUCTION FKA/ COASTAL ROOFING LICENSE NUMBER 2705 044660
67	PARRISH	2003-03383	RF	ELMO AND MARY LAWRENCE (CLAIMANTS) AND CARL E. THACKER T/A C.E. THACKER CONSTRUCTION (REGULANT) LICENSE NUMBER 2705-040310 Appointment Senator Marsh
68	REDIFER	2003-03277	DISC	DECKORATIVE CREATIONS LLC LICENSE NUMBER: 2705-069932
69	REDIFER	2002-02345	DISC	JACKSON CONSTRUCTION, INC. LICENSE NUMBER 2701 019988

70	REDIFER	2003-02258	DISC	COLBERT S. CONSTRUCTION COMPANY LICENSE NUMBER 2705 051997
71	REDIFER	2003-00595	RF	DAVID MIRKOVICH & KAREN MIRKOVICH (CLAIMANTS) AND NOVA INDUSTRIES, NC. T/A S & S KITCH BATH (REGULANT) LICENSE NUMBER 2705-053994
72	WALL	2004-02373	RF	RALPH H. AND JENNIE S. NEZAS (CLAIMANTS) AND AMG CONTRACTING, INC. T/A AMG CONTRACTING (REGULANT) LICENSE NUMBER 2705-040148
73	WALL	2004-02326	RF	RAY W. KOON & NELLIE C. KOON (CLAIMANTS) AND SIMONTON J. CANDLER T/A MIRACLE HOMES (REGULANT) LICENSE NUMBER 2705-023350
74	WALL	2003-02045	RF	RAYMOND MILLER AND ELAINE MILLE (CLAIMANTS) AND DAVID J. FERNANDEZ, INC. T/A DAVID J. FERNANDEZ, INC. (REGULANT) LICENSE NUMBER 2705-050493
75	WALL	2003-02011	RF	TODD A. LANDRETH (CLAIMANT) AND CLAYTON ALLEN T/A CLAYTON ALLEN'S ROOFING (REGULANT) LICENSE NUMBER 2705-025308
76	WALL	2003-01952	RF	TOMMY & BRENDA WALLACE (CLAIMANT) AND MILLENNIUM POOLS AND SPAS, INC. T/A MILLENNIUM POOLS AND SPAS, INC. (REGULANT) LICENSE NUMBER 2705-052822
77	WALL	2003-01880	RF	CHARLES D. GLOVER (CLAIMANT) AND CORNERPOST CONSTRUCTION, INC. T/A CORNERPOST CONSTRUCTION, INC. (REGULANT) LICENSE NUMBER 2705-060280 Appointment Richard Saunders, Attorney

78	WALL	2003-01876	RF	GABRIEL SETH WORSHAM (CLAIMANT) AND ALVIN G. GABLE T/A GABLE ENTERPRISES (REGULANT) LICENSE NUMBER 2705-055999
79	WALL	2003-01863	RF	FREDDIE HENRY (CLAIMANT) AND DONALD & WOODY BELCHER. T/A BELCHER & SON HOME IMPROVE- MENT (REGULANT) LICENSE NUMBER 2705-07314
80	WALL	2003-01536	RF	LEE A. WALKER (CLAIMANTS) AND A C POOLS, INC. (REGULANT) LICENSE NUMBER 2705-061983
81	WALL	2003-01532	RF	S. MARK LINDSEY (CLAIMANT) AND NOVA INDUSTRIES, NC. T/A S & S KITCHEN AND BATH (REGULANT) LICENSE NUMBER 2705-053994
82	WOOD	2002-02828	DISC	WES YOUNG ENTERPRISES, INC LICENSE NUMBER 2701 028435
83	WOOD	2003-02751	DISC	LOREDANA L. HENDERSON T/A ALL AROUND HOME IMPROVEMENT. LICENSE NUMBER 2705 071797
84	WOOD	2003-02187	DISC	BRYNNER WANDEMBERG T/A U S INDUSTRIES LICENSE NUMBER 2705 037541
85	WOOD	2004-01894	DISC	TURZAC CONSTRUCTION CORPORATIO T/A TURZAC HOMES LICENSE NUMBER 2705 028527
86	WOOD	2004-00579	DISC	PHILLIP R. BUTTS, SR. LICENSE NUMBER 2710-024260
87	Removed			

23 Consent Orders
18 License Cases
48 Disciplinary Cases
18 Recovery Fund

Total Cases 107

Consent Orders

6

1	NO IFF	2002-02798	CON	GREGORY C. STEWART License Number 2710-017071
2	NO IFF	2003-00035	CON	DOMENICK MINGIONE JR. t/a Mastercraft Homes License Number 2701-027117
3	Kirby	2003-00317	CON	ROLLIE B. KIRBY t/a Rollie B. Kirby License Number 2701-015406
4	NO IFF	2003-02226	CON	C. D. MCLENDON CONSTRUCTION & HOME REPAIRS, LLC License Number 2705-067151

5	Kinser	2003-02480	CON	GEORGE WILLIAM MALLORY t/a City Wide Heating and Air Conditioning License Number 2705-005565
6	NO IFF	2003-03130	CON	HOME PRO USA, INC. t/a Home Pro USA, Inc. License Number 2705-058024
7	NO IFF	2003-03568	CON	TCMS LLC t/a TCMS LLC License Number 2705-070213
8	NO IFF	2004-00444	CON	ANGELO S. CARRERAS t/a Carreras Contractors License Number 2705-070431
9	NO IFF	2004-01049	CON	JOHN A. ZAUN t/a John A. Zaun Plumbing & Heat License Number 2701-1020477
10	NO IFF	2004-01252	CON	ROBERT S. PERKINS, SR. t/a Perky Plus Construction License Number 2705-047288
11	NO IFF	2004-01626	CON	THOMAS A. TAYLOR t/a M. T. & T. Co. License Number 2701-034826
12	NO IFF	2004-01848	CON	MARLEN DAVIS t/a Marlen Davis License Number 2701-013175
13	NO IFF	2004-02174	CON	MICKEY SHANNON HIGGINS t/a Higgins Home Improvement License Number 2705-064675
14	NO IFF	2004-02178	CON	CLIFFORD A. WELLS, JR. t/a Clifford A. Wells, Jr. License Number 2705-033430
15	NO IFF	2004-02212	CON	RENT-A-BOB LLC t/a Rent-A-Bob LLC License Number 2705-070153
16	NO IFF	2004-02544	CON	PRION COMPLIANCE & TESTING SERVICE, INC. t/a Prion Compliance & Testing Service, Inc. License Number 2705-072460

17	NO IFF	2004-02890	CON	CARMILL CORP. t/a Carmill Corp. License Number 2705-025410
18	NO IFF	2004-03280	CON	EAST COAST FIRE PROTECTION, INC. t/a East Coast Fire Protection, Inc. License Number 2705-041243
19	NO IFF	2004-03336	CON	CLIMATE CONDITIONING CORP. License Number 2701-009404
20	NO IFF	2004-03434	CON	ESSIE E. SMITH t/a Smitty's Plumbing & Mechanical Contractors License Number 2705-017118
21	NO IFF	2004-03494	CON	JOHN M. SKELLY t/a Skelly Construction License Number 2701-035188
22	NO IFF	2004-03671	CON	KONE, INC. t/a Kone, Inc. (USA) License Number 2701-006178
23	NO IFF	2004-03675	CON	PERLECTRIC, INC. t/a Perlectric, Inc. License Number 2705-023159

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

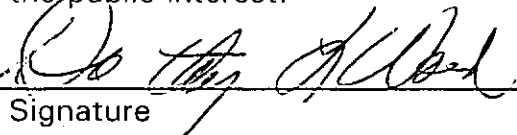
**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

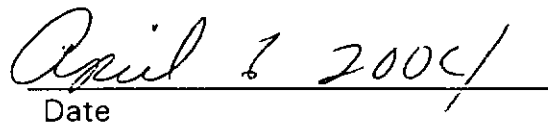
1. Name: Dorothy L. Wood
2. Title: Presiding Board Member
3. Agency: Board for Contractors
4. Transaction: Informal Fact-Finding Conferences on April 6, 2004
5. Nature of Personal Interest Affected by Transaction: _____

-
6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature


Date